

Our view

Washington's House should back Senate version.

Courts funding bill needs support

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Americans pride themselves on a tradition of evenhanded justice for all.

Tell that to financially strapped county commissioners around Washington, especially in rural counties, where limited budgets are no match for the financial burdens that pile up when a high-profile criminal case lands in their laps.

One murder trial where the death penalty is in play can cost a county millions in trial and appeal costs. Those expenses rob other cases, criminal and civil, of limited resources. They put pressure on prosecutors to let financial restrictions influence their charging decisions. It's hard for the justice system to claim evenhandedness when county-to-county inconsistencies arise due to different tax bases.

County-to-county inconsistencies shouldn't exist in a statewide justice system that applies statewide laws. Yet the state of Washington picks up only 10 percent of the cost of its courts, the rest of the burden falling on cities and counties. As a result there are unacceptable disparities from one jurisdiction to another.

As the Legislature approaches its scheduled adjournment this weekend, there is an opportunity to address the court-funding issue. And the best part is that the plan comes with a funding mechanism that takes the heat off a Legislature sorely pressed to address critical needs while closing a \$2 billion revenue gap.

In response to a state task force study, the Senate handily approved a plan under which the state would do for District Court judges and elected municipal court judges what it now does for Superior Court judges – pay half their salaries. Half of the money freed up from county budgets would go into a trial court improvement account, controlled by county commissioners, that could be used for locally chosen programs such as drug courts.

To pay for it, the cost of filing a civil case would rise from \$110 to \$200 – the first increase in the filing fee in 15 years. Significantly, the Washington state Bar Association, whose members would have to work with clients bearing that burden, has given its OK.

The plan is projected to generate enough funding to strengthen support for public defender services and civil legal services – activities that meet constitutional requirements and affirm the concept of equal justice.

Although the Senate passed its plan 45-3, the House took away the money for trial courts, redirecting all the revenue to such purposes as legal services, public defenders and support for parents in dependency. Those are valid causes, to be sure, but the House plan ignores the fact that Washington ranks last in the nation in terms of the funding burden borne by the state for state trial courts.

In the week that remains of the Legislature, the House and Senate have a chance to resolve their differences and send the governor a bill that will shift the burden of the state judicial system off the shoulders of local governments, many of whom suffer serious financial distress because of it.

As Chief Justice Gerry Alexander of the Washington state Supreme Court has noted, if lawmakers want to live up to the title of the measure – the Court Improvement Act – they'll revert to the Senate version.